

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF NEW YORK

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BREINDY KOHN,

Civil No. _____

Plaintiff,

- against -

RELIN, GOLDSTEIN & CRANE, LLP,

Defendants.

**NOTICE OF REMOVAL
FROM THE SUPREME
COURT OF THE
STATE OF NEW YORK,
COUNTY OF KINGS,
INDEX NO. 500225/22**

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PLEASE TAKE NOTICE THAT, pursuant to 28 U.S.C. § 1441, *et. seq.*, defendant Relin, Goldstein & Crane, LLP (“RGC”), by its attorneys, Ropers Majeski, P.C., hereby removes to the United States District Court for the Eastern District of New York the State Court Action described below. In support of this removal, RGC states as follows:

1. On or about November 22, 2021, plaintiff Breindy Kohn (“plaintiff”), commenced a civil action in the United States District Court for the Eastern District of New York, captioned *Breindy Kohn v. Relin, Goldstein & Crane, LLP*; Case No. 21-cv-6500 (BJC) (“Original Federal Court Action.”) A copy of the summons and complaint filed with the Clerk in that action, which is annexed hereto as Exhibit A, was served on RGC on or about December 7, 2021.

2. The Original Federal Court Action was assigned to District Judge Brian J. Cogan. Prior to RGC’s time to respond to the complaint in the Original Federal Court Action, plaintiff voluntarily dismissed that action without prejudice, and on January 4, 2022, plaintiff commenced a civil action in the Supreme Court of the State of New York, Kings County, captioned *Breindy Kohn v. Relin, Goldstein & Crane, LLP*, and bearing Index No. 500225/22 (the “State Court Action”). The State Court Action asserts identical allegations as the Original Federal Court

Action that was assigned to Judge Cogan. A copy of the Summons and Complaint filed with the Clerk in the State Court Action was served on RGC on or about January 5, 2022.

3. A copy of the aforementioned Summons and Complaint in the State Court Action is attached to this Notice as Exhibit B.

4. The United States District Court for the Eastern District of New York is the court in the district where the State Court Action is pending. RGC is therefore entitled to remove the State Court Action to this Court. *See* 28 U.S.C. § 1446(a).

5. This Notice of Removal is timely filed within the time period set forth in 28 U.S.C. § 1446(b). RGC has not appeared or pleaded in the State Court Action.

6. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1331 because the suit is purported to arise under the Fair Debt Collection Practices Act, 15 U.S.C. 1692 *et. seq.* Plaintiff also alleges damages as a result of RGC's purported conduct. (*See* Complaint, at ¶ 47-49.) Therefore, RGC has authority to remove this action to this Court pursuant to 28 U.S.C. § 1441(c).

7. Pursuant to 28 U.S.C. § 1446(d), a copy of this Notice of Removal is being served on plaintiff through his attorney and filed with the Clerk of the Supreme Court of the State of New York, County of Kings.

Dated: New York, New York
January 25, 2022

Respectfully submitted,

ROPER MAJESKI, P.C.

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